Statutory Checklist for Compliance with 24 CFR §58.5 – NEPA Related Federal Laws and Authorities

(Must be completed for each individual addressed included under overall project description)

Use this worksheet for projects that are Categorically Excluded Subject to 24 CFR §58.5 listed at 24 CFR §58.35(a) and for projects that require an Environmental Assessment.

Project Name: Property of Camille Mazzella – 21 Cooper Avenue, Milford

ERR FILE # Application Number 5035

Definitions: **A:** The project is in compliance.
B: The project requires an additional compliance step or action.

Statute, Authority, Executive Order Cited at 24 CFR §58.5	A	B	COMPLIANCE FINDING	SOURCE DOCUMENTATION
1. 58.5(a) Historic Properties [36 CFR 800]		B	**Consultation request submitted to SHPO directly by Department of Housing.**	**DOH to obtain information.**
2. 58.5(b)(1) Floodplain Management [24 CFR 55, Executive Order 11988]		B	**DOH has conducted 8-step analysis. Site in AE flood plain. Mitigation will consist of raising the residence 2 feet above base flood elevation (BFE).**	**NFIP FIRM Map 09009C0529J** **A copy of the map with project location depicted is attached.**
3. 58.5(b)(2) Wetland Protection [24 CFR 55, Executive Order 11990]		B	**DOH has conducted 8-step analysis. Project is located in AE flood plain, but not within a wetland. Mitigation will include rising of existing building 2-feet above BFE. Mitigation activities to be included in construction scope of work. Obtaining local wetland approvals, if necessary, will be included within construction Scope of Work.**	**The project location is not located within a wetland. USGS Wetland map, EDR NEPACheck report and EDR Radius Map**
4. 58.5(c) Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]		B	**Project is located within Coastal Management Zone. Coastal Area Management review will be required. Review to be conducted as part of construction scope of work. No construction will be conducted until local approval is obtained.**	**Town of Milford Coastal Area Management Program.** http://cteco.uconn.edu/map_catalog/maps/town/Coastal_Boundary/cstlbnd_MILFORD.pdf **A copy of the map depicting the location of the property is attached.**

5. 58.5(d) Sole Source Aquifers [40 CFR 149]	A		**The property is not located within a sole source aquifer area. Site utilizes municipal sewer and water.**	**EPA Region 1** http://www.epa.gov/region1/eco/drinkwater/pc_solesource_aquifer.html **A copy of the GNHWPCA service area map with project location depicted is attached**
6. 58.5(e) Endangered Species [50 CFR 402]	A		**Although the project location is located within a Natural Diversity area, the project location does not contain waterfront property with a sandy beach.**	ftp://ftp.state.ct.us/pub/dep/gis/endangeredspeciesmaps/nd084.pdf **A copy of the map with project location depicted is attached.**
7. 58.5(f) Wild and Scenic Rivers [36 CFR 297]	A		**Project location is not within one mile of Eight Mile River (only designated wild and scenic river within program area)**	**Mapping obtained from** http://www.rivers.gov/maps/conus.php
8. 58.5(g) Air Quality [40 CFR parts 6, 51,61, 93]	A		**Project on existing developed site and should not substantially affect the CT SIP due to the implementation of standard BMPs. Project consists of residential construction with no anticipated quantifiable increase in air pollution.**	http://www.epa.gov/region1/topics/air/sips/sips_ct.html
9. 58.5(h) Farmland Protection [7 CFR 658]	A		**Property does not include prime or unique farmland.**	http://websoilsurvey.sc.egov.usda.gov
10. 58.5(i)(1) Noise Control and Abatement [24 CFR 51B]	A		**Project is not located near an airport, highway, or railroad.**	**EDR Radius Map**
11. 58.5 (i) (1) Explosive and Flammable Operations [24 CFR 51C]	A		**Mitigation will not result in an increase to residential density of the property.**	**Rehabilitation work that does not alter the number dwelling units or a change of land use is not subject to Acceptable Separation Distance (ASD) requirements for HUD**
12. 58.5(i)(1) Airport Hazards (Runway Clear Zones and Clear Zones/Accident Potential Zones) [24 CFR 51D]	A		**Project is not located within 2,500 feet of a civilian airport runway clear zone or 15,000 feet of a military airfield clear zone.**	**EDR Radius Map**
13. 58.5(i)(2)(i-iv) Contamination and Toxic Substances [24 CFR 58.5(i)(2)]	A		**No hazard which could affect the health and safety of occupants or conflict with the intended utilization of the property was identified**	**Opinion of preparer who is a qualified environmental professional. Source documentation used as part of the determination is attached.**

14. 58.5(j) Environmental Justice [Executive Order 12898]	A		**The town of Milford does not have any Environmental Justice communities. The project will not create high and adverse human health and environmental effects.**	http://www.ct.gov/deep/cwp/view.asp?a=2688&Q=432364&deepNav_GID=1511 **Connecticut Department of Economic and Community Development list of Environmental Justice communities**
15 A. Flood Insurance [58.6(a) & (b)]		B	**Per federal regulations and OORR program guidelines the homeowner will need to provide proof of flood insurance policy prior to construction. Homeowners are required to maintain flood insurance for not less than 5 years from the date of assistance.**	**Community Development Block Grant – Disaster Recovery (CDBG-DR) Owner Occupied Rehabilitation and Rebuilding Program guideline requirements**
15 B. Coastal Barriers [58.6(c)]	A		**Project is not located near Milford's coastal barriers**	**Connecticut Map of Coastal Barrier Resources System. A copy of the map depicting the site location is attached.**
16. A Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	A		**Activities are limited to existing building footprint. Town of Milford provides weekly curbside pickup of refuse.**	http://www.ci.milford.ct.us/public-works/pages/guidelines-for-garbage-collection
16 B. Fish and Wildlife [U.S.C. 661-666c]	A		**Project will not involve the impounding, diverting, channelizing or modification of any steam or body of water**	**Mitigation information obtained from initial property inspection report**
16 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]	A		**Lead based paint was not identified at the property.**	**Limited Hazardous Materials Inspection Report. A copy of the report is attached.**
16 D. Asbestos		B	**Asbestos containing material was identified at the property. The materials are non-friable and must be removed by at Sate of CT licensed Asbestos Abatement Contractor prior to mitigation that will disturb the materials**	**Limited Hazardous Materials Inspection Report. A copy of the report is attached.**
16 E. Radon [50.3 (i) 1]	A		**Radon was not identified within living spaces at concentration exceeding EPA recommended guidelines**	**Limited Hazardous Materials Inspection Report. A copy of the report is attached.**
16 F. Mold	A		**No visible signs of mold were noted during the time of inspection**	**Limited Hazardous Materials Inspection Report. A copy of the report is attached.**
Other: State or Local 17 A. Flood Management Certification [CGS 25-68]		B	**Property within an AE Flood Zone. Certification though the General Permit for CDBG-DR activities with CTDEEP is required**	**FEMA Map 09009C0529J. See Appendix C for Certification form and attached application documentation**

17 B. Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]	A		**Project is not located waterward of coastal jurisdiction line**	**Office of Long Island Sound Programs Coastal Jurisdiction Line Elevations, Town of Milford Planning and Zoning Department**
17 C. Tidal Wetlands Act [CGS 22a-28 through 22a-35]		B	**Project is not located within a tidal wetland. Obtaining local wetland approvals, if necessary, will be included within construction Scope of Work.**	**USGS Wetland map, CT DEEP tidal wetland map, EDR NEPACheck report and EDR Radius Map**
17 D. Local inland wetlands/watercourses [CGS 22a-42]		B	**Project is not located within an inland wetland. Obtaining local wetland approvals, if necessary, will be included within construction Scope of Work.**	**Town of Milford GIS Mapping. Milford town wetlands are more extensive than state/federal mapped wetlands. A copy of the map is attached**
17 E. Various Municipal Zoning Approvals		B	**Obtaining any local zoning approvals to conduct mitigation efforts will be included within the construction scope of work**	**Zoning Regulations of the town of Milford**

DETERMINATION:

☐ **Box "A" has been checked for <u>all</u> authorities.** For Categorically Excluded actions pursuant to §58.35(a) [Does not apply to EA or EIS level of review which can never convert to Exempt], the project can convert to Exempt, per §58.34(a) (12), since the project does not require any compliance measures (e.g., consultation, mitigation, permit or approval) with respect to any law or authority cited at §58.5. The project is now made Exempt and **funds may be drawn down**; OR

☒ **Box "B" has been checked for <u>one or more</u> authority.** For Categorically Excluded actions pursuant to §58.35(a), the project cannot convert to Exempt since one or more authority requires compliance, including but not limited to consultation with or approval from an oversight agency, performance of a study or analysis, completion of remediation or mitigation measure, or obtaining of license or permit. **Complete pertinent compliance requirement(s), publish NOI/RROF, request release of funds (HUD-7105.15), and obtain HUD's Authority to Use Grant Funds (HUD-7015.16) per §58.70 and §58.71 before committing funds**; OR

☐ This project is not a Categorically Excluded action pursuant to §58.35(a), or may result in a significant environmental impact to the environment, and requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

MITIGATION MEASURES AND CONDITIONS FOR PROJECT APPROVAL: *(If Box B is checked, provide details regarding further consultation, mitigation, permit requirements or approvals required to be incorporated into public notices and project requirements such as contracts, grants, loan conditions, etc. as described in the Statutory Worksheet). Ensure required measures are included in 7015.15 Project Description Section.*

PREPARER:

Preparer's Signature	Date: 2/16/2015
Charles D. Brink Preparer's Name (printed)	Manager Environmental Services Title (printed)

AUTHORIZED RESPONSIBLE ENTITY OFFICIAL:

Authorized Responsible Entity Signature	Date: 6/3/2015
Hermia Delaire Authorized Responsible Entity Name (printed)	CDBG-DR Program Manager Title (printed)